

Carson (IN) Jefferson
 Case Johnson, E. B.
 Castle Jones (OH)
 Clay Kennedy (RI)
 Clyburn Kildee
 Conyers Kilpatrick
 Crowley King (NY)
 Cummings Kleczka
 Davis (CA) Kucinich
 Davis (FL) Langevin
 Davis (IL) Lantos
 DeGette Larson (CT)
 Delahunt Lee
 DeLauro Levin
 Deutsch Lewis (GA)
 Dicks Lofgren
 Doggett Lowey
 Doyle Lynch
 Emanuel Majette
 Engel Maloney
 Eshoo Markey
 Evans Matsui
 Farr McCarthy (NY)
 Fattah McCollum
 Filner McDermott
 Frank (MA) McGovern
 Frost McNulty
 Gephardt Meehan
 Gonzalez Meek (FL)
 Grijalva Meeks (NY)
 Gutierrez Menendez
 Gutknecht Millender-
 Harman McDonald
 Hastings (FL) Miller (NC)
 Hinchey Miller, George
 Hoeffel Moore
 Holt Moran (VA)
 Honda Nadler
 Hooley (OR) Napolitano
 Inslee Neal (MA)
 Israel Obey
 Jackson (IL) Olver
 Jackson-Lee Owens
 (TX) Pallone

NOES—280

Akin Cox
 Alexander Cramer
 Baca Crane
 Bachus Crenshaw
 Baird Cubin
 Baker Culberson
 Ballenger Cunningham
 Barrett (SC) Davis (AL)
 Bartlett (MD) Davis (TN)
 Barton (TX) Davis, Jo Ann
 Bass Davis, Tom
 Beauprez Deal (GA)
 Bereuter DeFazio
 Berry DeLay
 Biggert DeMint
 Bilirakis Diaz-Balart, L.
 Bishop (GA) Diaz-Balart, M.
 Bishop (UT) Dingell
 Blackburn Dooley (CA)
 Blunt Doolittle
 Boehlert Dreier
 Boehner Duncan
 Bonilla Dunn
 Bonner Edwards
 Bono Ehlers
 Boozman Emerson
 Boucher English
 Bradley (NH) Etheridge
 Brady (TX) Everett
 Brown (SC) Feeney
 Brown-Waite, Fergusson
 Ginny Flake
 Burgess Fletcher
 Burns Foley
 Burr Forbes
 Burton (IN) Ford
 Buyer Fossella
 Calvert Franks (AZ)
 Camp Frelinghuysen
 Cannon Gallegly
 Cantor Garrett (NJ)
 Capito Gerlach
 Cardoza Gibbons
 Carson (OK) Gilchrest
 Carter Gilmor
 Chabot Gingrey
 Chocola Goode
 Coble Goodlatte
 Cole Gordon
 Collins Goss
 Combest Granger
 Cooper Graves
 Costello Green (TX)

Pascrell
 Pastor
 Payne
 Pelosi
 Price (NC)
 Rangel
 Rothman
 Roybal-Allard
 Rush
 Sabo
 Sanchez, Linda
 T.
 Sanchez, Loretta
 Schakowsky
 Schiff
 Scott (VA)
 Serrano
 Shays
 Sherman
 Slaughter
 Smith (WA)
 Snyder
 Stark
 Tauscher
 Thompson (MS)
 Tierney
 Towns
 Udall (CO)
 Udall (NM)
 Van Hollen
 Velazquez
 Visclosky
 Waters
 Watson
 Watt
 Waxman
 Weiner
 Wexler
 Woolsey
 Wu
 Wynn

Lucas (KY)
 Manzullo
 Marshall
 Matheson
 McCotter
 McCrery
 McHugh
 McInnis
 McIntyre
 McKeon
 Mica
 Michaud
 Miller (FL)
 Miller (MI)
 Miller, Gary
 Mollohan
 Moran (KS)
 Murphy
 Murtha
 Musgrave
 Myrick
 Nethercutt
 Ney
 Northup
 Norwood
 Nunes
 Nussle
 Oberstar
 Ortiz
 Osborne
 Ose
 Otter
 Oxley
 Paul
 Shadegg
 Pearce
 Pence
 Peterson (MN)
 Petri
 Pickering
 Pitts
 Platts

NOT VOTING—10

Aderholt
 Boswell
 Boyd
 Houghton
 Hyde
 Lucas (OK)
 McCarthy (MO)
 Peterson (PA)

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. QUINN) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1604

Mr. KELLER changed his vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. SENSENBRENNER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. QUINN, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1036) to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from the misuse of their products by others, had come to no resolution thereon.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 4 o'clock and 5 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1708

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. GILCREST) at 5 o'clock and 8 minutes p.m.

EXTENDING AVAILABILITY OF CONTINUING EXPENSES OF STANDING AND SELECT COMMITTEES OF HOUSE THROUGH MAY 9, 2003

Mr. NEY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (H. Res. 185) extending the period of availability of amounts for continuing expenses of standing and select committees of the House through May 9, 2003.

The Clerk read the title of the resolution.

The SPEAKER pro tempore (Mr. GILCREST). Is there objection to the request of the gentleman from Ohio?

Mr. LARSON of Connecticut. Reserving the right to object, Mr. Speaker, we have no objection. We are in concurrence.

Mr. Speaker, I withdraw my reservation of objection.

The Speaker pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 185

Resolved, That House Resolution 163 (agreed to March 26, 2003) is amended by striking "April 11, 2003" and inserting "May 9, 2003".

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROTECTION OF LAWFUL COMMERCE IN ARMS ACT

The SPEAKER pro tempore. Pursuant to House Resolution 181 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1036.

□ 1710

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1036) to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from the misuse of their products by others, with Mr. BASS (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose earlier today, amendment No. 4 printed in House Report 108-64 offered by the gentleman from Massachusetts (Mr. MEEHAN) had been disposed of.

No further amendment being in order, the question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GILCHREST) having assumed the chair, Mr. BASS, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1036) to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from the misuse of their products by others, pursuant to House Resolution 181, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time

MOTION TO RECOMMIT OFFERED BY MR. WATT

Mr. WATT. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. WATT. Mr. Speaker, I am, indeed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. WATT of North Carolina moves to recommit the bill H.R. 1036 to the Committee on the Judiciary with instructions to report the same to the House forthwith with the following amendments:

In section 3—

(1) strike "(a) IN GENERAL.—"; and

(2) strike subsection (b).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. WATT) is recognized for 5 minutes in support of his motion to recommit.

Mr. WATT. Mr. Speaker, the section that the motion to recommit would strike is section 3(b) of the bill, which reads as follows: "A qualified civil liability action that is pending on the date of the enactment of this act shall be dismissed immediately by the court in which the action was brought or is currently pending."

The effect of that language is to make this bill not only applicable to what happens from today forward or from the passage and enactment of the bill forward, but to make it have retrospective impact.

We estimate that there are upwards of 300 pending lawsuits in various stages throughout the country. Those lawsuits were filed by plaintiffs thinking that the state of the law was as it existed prior to this bill being enacted, if in fact it is. So the effect of the bill would be to an ex post facto law, which we think would make the bill unconstitutional; but even if it did not make it unconstitutional, would certainly make it unfair to people who have filed their lawsuits in court and, in some cases, have proceeded with trial.

Some of those cases are on appeal. This bill would require their dismissal, whether they are in discovery, whether they had just filed a complaint, whether they had gone through the trial process, or whether they are pending in the Court of Appeals. They may be pending in the United States Supreme Court. This bill would say those cases would have to be dismissed.

Mr. Speaker, I would submit that neither the committee, the Committee on the Judiciary, nor this House has done any evaluation of those pending lawsuits.

□ 1715

There have been no hearings about what they entail. We do know that one of them that would be involved involves a police officer by the name of Lemongello who testified at the hearing that we had on this bill, and his lawsuit would be one of those that would be dismissed.

The facts of his case indicate that he was the victim of a gun shot by an individual, who a dealer sold the gun to a female companion of that individual, knowing full well that the gun was not to be used by that female companion. And as soon as they got out the door with the gun, they were so suspicious of what was going on, they had immediately called the ATF about that.

We think that the sniper case that is pending would be in jeopardy of being dismissed by this lawsuit by this bill if this amendment or motion to recommit is not adopted. And even my colleagues last year when this bill was being advanced through the House, upon recognizing what was going on in our community with the sniper incidents, said we are not going to consider this bill at this time. But here we are a year later saying that we are going to pass a bill that could eliminate potential civil liability on the part of the dealer, who should have known that the gun that was out there which they were not keeping accurate track of in their inventory, should have known that that gun was being distributed and sold, and that case would probably be dismissed.

There are a number of other instances where cases would be dismissed if this bill goes forward in its current form. It is unseemly that this House would pass a bill that would have retroactive effect. It is one thing to say, okay, today, starting today we are putting you on notice that this is the law

from this point forward. It is entirely another thing to say to people who have filed their lawsuits that the law is one thing that we are going to change and make this bill retroactive to you. I ask for my colleagues to support the motion to recommit.

Mr. SENSENBRENNER. Mr. Speaker, I rise in opposition to the motion.

Mr. Speaker, the motion to recommit guts the entire bill by preventing the dismissal of pending lawsuits. Much of the harm this bill addresses is caused by pending lawsuits.

The Supreme Court has held that Congress can require that pending lawsuits can be dismissed if it is pursuant to a national economic policy. A bill that aims to save the national firearms industry from bankruptcy due to pending lawsuits is an enactment pursuant to a national economic policy. Certainly saving an industry from bankruptcy that is essential to preserving a constitutionally protected right to bear arms under Congress's Commerce Clause authority is constitutional. If this motion to recommit passes, all that would happen is that hundreds of additional cases would be filed right before the date of enactment. This motion to recommit would therefore make the current situation much worse and further endanger all of our fundamental rights to bear arms. I urge a "no" vote on the motion to recommit.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the motion.

The previous question was ordered.

The SPEAKER pro tempore (Mr. GILCHREST). The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. WATT. Mr. Speaker, I object to the vote on the grounds that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, this will be a 15-minute vote on the motion to recommit, and it will be followed by a 5-minute vote on final passage and by 5-minute votes on the motions to suspend the rules and adopt House Resolution 170 and House Resolution 149, which were debated yesterday.

The vote was taken by electronic device, and there were—yeas 140, nays 282, not voting 12, as follows:

[Roll No. 123]

YEAS—140

Abercrombie	Brady (PA)	Crowley
Ackerman	Brown (OH)	Cummings
Allen	Brown, Corrine	Davis (CA)
Andrews	Capps	Davis (FL)
Baldwin	Capuano	DeGette
Ballance	Cardin	DeLauro
Becerra	Carson (IN)	Deutsch
Berkley	Case	Dicks
Berman	Clay	Doggett
Bishop (NY)	Clyburn	Doyle
Blumenauer	Conyers	

Emanuel	Lee	Rangel	Myrick	Reynolds	Strickland	Bonilla	Gutknecht	Peterson (PA)
Engel	Levin	Rodriguez	Nethercutt	Rogers (AL)	Stupak	Bonner	Hall	Petri
Eshoo	Levin (GA)	Rothman	Ney	Rogers (KY)	Sullivan	Bono	Harris	Pickering
Etheridge	Lipinski	Rothal-Allard	Northup	Rogers (MI)	Sweeney	Boozman	Hart	Pitts
Evans	Lofgren	Rush	Norwood	Rohrabacher	Tancred	Boswell	Hastings (WA)	Platts
Farr	Lowey	Sabo	Nunes	Ros-Lehtinen	Tanner	Boucher	Hayes	Pombo
Fattah	Lynch	Sanchez, Linda T.	Nussle	Ross	Tauzin	Bradley (NH)	Hayworth	Pomeroy
Filner	Majette		Oberstar	Royce	Taylor (MS)	Brady (TX)	Hefley	Porter
Ford	Maloney	Sanchez, Loretta	Ortiz	Ruppersberger	Taylor (NC)	Brown (SC)	Hensarling	Portman
Frank (MA)	Markey	Schakowsky	Osborne	Ryan (OH)	Terry	Brown, Corrine	Herger	Pryce (OH)
Frost	Matsui	Schiff	Ose	Ryan (WI)	Thomas	Brown-Waite,	Hill	Putnam
Gonzalez	McCarthy (NY)	Scott (VA)	Otter	Sanders	Thompson (CA)	Ginny	Hinojosa	Quinn
Grijalva	McCollum	Serrano	Oxley	Sandlin	Thornberry	Burgess	Hobson	Radanovich
Gutierrez	McDermott	Sherman	Paul	Saxton	Tiahrt	Burns	Hoekstra	Rahall
Hastings (FL)	McGovern	Slaughter	Pearce	Schrock	Tiberi	Burr	Holden	Ramstad
Hoefel	McNulty	Solis	Pence	Scott (GA)	Toomey	Burton (IN)	Hostettler	Regula
Holt	Meehan	Spratt	Peterson (MN)	Sensenbrenner	Turner (OH)	Buyer	Hulshof	Rehberg
Honda	Meek (FL)	Stark	Peterson (PA)	Sessions	Turner (TX)	Calvert	Hunter	Renzi
Hooley (OR)	Meeks (NY)	Tauscher	Petri	Shadegg	Upton	Camp	Isakson	Reyes
Hoyer	Menendez	Thompson (MS)	Pickering	Shaw	Vitter	Cannon	Issa	Reynolds
Inslee	Millender	Tierney	Pitts	Shays	Walden (OR)	Cantor	Istook	Rodriguez
Israel	McDonald	Towns	Pombo	Sherwood	Walsh	Capito	Janklow	Rogers (AL)
Jackson (IL)	Miller (NC)	Udall (CO)	Pomeroy	Shimkus	Wamp	Cardoza	Jenkins	Rogers (KY)
Jackson-Lee	Miller, George	Udall (NM)	Porter	Shuster	Weldon (FL)	Carson (OK)	John	Rogers (MI)
(TX)	Moore	Van Hollen	Portman	Simmons	Weldon (PA)	Carter	Johnson (CT)	Rohrabacher
Jefferson	Moran (VA)	Velazquez	Pryce (OH)	Simpson	Weller	Chabot	Johnson (IL)	Ros-Lehtinen
Johnson, E. B.	Nadler	Visclosky	Putnam	Skelton	Whitfield	Chocola	Johnson, Sam	Ross
Jones (OH)	Napolitano	Waters	Quinn	Smith (MI)	Wicker	Coble	Jones (NC)	Royce
Kaptur	Neal (MA)	Watson	Radanovich	Smith (NJ)	Wilson (NM)	Cole	Kanjorski	Ryan (OH)
Kennedy (RI)	Obey	Watt	Rahall	Smith (TX)	Wilson (SC)	Collins	Kaptur	Ryan (WI)
Kildee	Olver	Waxman	Ramstad	Smith (WA)	Wolf	Combest	Keller	Sanders
Kilpatrick	Owens	Weiner	Regula	Snyder	Young (AK)	Cooper	Kelly	Sandlin
Klecza	Pallone	Wexler	Rehberg	Souder	Young (FL)	Costello	Kennedy (MN)	Saxton
Kucinich	Pastor	Woolsey	Renzi	Stearns		Cox	Kind	Schrock
Langevin	Payne	Wu	Reyes	Stenholm		Cramer	King (IA)	Scott (GA)
Lantos	Pelosi	Wynn				Crane	King (NY)	Sensenbrenner
Larson (CT)	Price (NC)					Crenshaw	Kingston	Sessions
						Cubin	Kirk	Shadegg
						Cunningham	Kline	Shaw
						Davis (AL)	Knollenberg	Sherwood
						Davis (TN)	Kolbe	Shimkus
						Davis, Jo Ann	LaHood	Shuster
						Davis, Tom	Lampson	Simmons
						Deal (GA)	Larsen (WA)	Simpson
						DeFazio	Latham	Skelton
						DeLay	LaTourette	Smith (MI)
						DeMint	Leach	Smith (NJ)
						Diaz-Balart, L.	Lewis (CA)	Smith (TX)
						Diaz-Balart, M.	Lewis (KY)	Smith (WA)
						Dingell	Linder	Souder
						Dooley (CA)	Lipinski	Spratt
						Doolittle	LoBiondo	Spratt
						Dreier	Lucas (KY)	Stearns
						Duncan	Manzullo	Stenholm
						Dunn	Marshall	Strickland
						Edwards	Matheson	Stupak
						Ehlers	McCotter	Sullivan
						Emerson	McCrery	Sweeney
						English	McHugh	Tancred
						Etheridge	McInnis	Tanner
						Everett	McIntyre	Tauzin
						Feeney	McKeon	Taylor (MS)
						Ferguson	Mica	Taylor (NC)
						Flake	Michaud	Terry
						Fletcher	Miller (FL)	Thomas
						Foley	Miller (MI)	Thompson (CA)
						Forbes	Miller, Gary	Thornberry
						Ford	Mollohan	Tiahrt
						Fossella	Moran (KS)	Tiberi
						Franks (AZ)	Murphy	Toomey
						Frelinghuysen	Murtha	Turner (OH)
						Gallely	Musgrave	Turner (TX)
						Garrett (NJ)	Myrick	Upton
						Gerlach	Nethercutt	Vitter
						Gibbons	Ney	Walden (OR)
						Gilchrest	Northup	Walsh
						Gillmor	Norwood	Wamp
						Gingrey	Nunes	Weldon (FL)
						Goode	Nussle	Weldon (PA)
						Goodlatte	Obey	Weller
						Gordon	Ortiz	Whitfield
						Goss	Osborne	Wicker
						Granger	Ose	Wilson (NM)
						Graves	Otter	Wilson (SC)
						Green (TX)	Oxley	Wolf
						Green (WI)	Pearce	Young (AK)
						Greenwood	Pence	Young (FL)
							Peterson (MN)	

NOT VOTING—12

Baker	Gephardt	McCarthy (MO)
Boyd	Houghton	Pascarell
Cole	Hyde	Platts
Davis (IL)	Lucas (OK)	Ryun (KS)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GILCHREST) (during the vote). There are 2 minutes remaining in this vote.

□ 1739

Mrs. NORTHUP and Messrs. RADANOVICH, SHAYS, GILLMOR, and LATOURETTE changed their vote from “yea” to “nay.”

Mr. MEEKS of New York changed his vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. COLE. Mr. Speaker, on rollcall No. 123, I was unavoidably detained. Had I been present, I would have voted “nay.”

Mr. PLATTS. Mr. Speaker, on rollcall No. 123, I was unavoidably detained. Had I been present, I would have voted “nay.”

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SENSENBRENNER. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 285, nays 140, not voting 9, as follows:

[Roll No. 124]

YEAS—285

Aderholt	Barrett (SC)	Biggert	Abercrombie	Berkley	Capuano
Akin	Bartlett (MD)	Bilirakis	Ackerman	Berman	Cardin
Alexander	Barton (TX)	Bishop (GA)	Allen	Bishop (NY)	Carson (IN)
Baca	Bass	Bishop (UT)	Andrews	Blumenauer	Case
Bachus	Beauprez	Blackburn	Baldwin	Brady (PA)	Castle
Baird	Bell	Blunt	Ballance	Brown (OH)	Clay
Baker	Bereuter	Boehrlert	Becerra	Capps	Clyburn
Ballenger	Berry	Boehner			

NAYS—140

Aderholt	Barrett (SC)	Biggert	Abercrombie	Berkley	Capuano
Akin	Bartlett (MD)	Bilirakis	Ackerman	Berman	Cardin
Alexander	Barton (TX)	Bishop (GA)	Allen	Bishop (NY)	Carson (IN)
Baca	Bass	Bishop (UT)	Andrews	Blumenauer	Case
Bachus	Beauprez	Blackburn	Baldwin	Brady (PA)	Castle
Baird	Bell	Blunt	Ballance	Brown (OH)	Clay
Baker	Bereuter	Boehrlert	Becerra	Capps	Clyburn
Ballenger	Berry	Boehner			

NAYS—282

Aderholt	Culberson	Hinchey	Aderholt	Berkley	Capuano
Akin	Cunningham	Hinojosa	Akin	Berman	Cardin
Alexander	Davis (AL)	Hobson	Alexander	Bishop (NY)	Carson (IN)
Baca	Davis (TN)	Hoekstra	Baca	Blumenauer	Case
Bachus	Davis, Jo Ann	Holden	Bachus	Brady (PA)	Castle
Baird	Davis, Tom	Hostettler	Baird	Brown (OH)	Clay
Ballenger	Deal (GA)	Hulshof	Baker	Brown (TX)	Clyburn
Barrett (SC)	DeFazio	Hunter	Ballenger	Burr	
Bartlett (MD)	DeLay	Isakson		Burns	
Barton (TX)	DeMint	Issa		Burger	
Bass	Diaz-Balart, L.	Istook		Burns	
Beauprez	Diaz-Balart, M.	Janklow		Burr	
Bell	Dingell	Jenkins		Burr	
Bereuter	Dooley (CA)	John		Burr	
Berry	Doolittle	Johnson (CT)		Burr	
Biggert	Dreier	Johnson (IL)		Burr	
Bilirakis	Duncan	Johnson, Sam		Burr	
Bishop (GA)	Dunn	Jones (NC)		Burr	
Bishop (UT)	Edwards	Kanjorski		Burr	
Blackburn	Ehlers	Keller		Burr	
Blunt	Emerson	Kelly		Burr	
Boehrlert	English	Kennedy (MN)		Burr	
Boehner	Everett	Kind		Burr	
Bonilla	Feeney	King (IA)		Burr	
Bonner	Ferguson	King (NY)		Burr	
Bono	Flake	Kingston		Burr	
Boozman	Fletcher	Kirk		Burr	
Boswell	Foley	Kline		Burr	
Boucher	Forbes	Knollenberg		Burr	
Bradley (NH)	Fossella	Kolbe		Burr	
Brady (TX)	Franks (AZ)	LaHood		Burr	
Brown (SC)	Frelinghuysen	Lampson		Burr	
Brown-Waite,	Gallely	Larsen (WA)		Burr	
Ginny	Garrett (NJ)	Latham		Burr	
Burgess	Gerlach	LaTourette		Burr	
Burns	Gibbons	Leach		Burr	
Burr	Gilchrest	Lewis (CA)		Burr	
Burton (IN)	Gillmor	Lewis (KY)		Burr	
Buyer	Gingrey	Linder		Burr	
Calvert	Goode	LoBiondo		Burr	
Camp	Goodlatte	Lucas (KY)		Burr	
Cannon	Gordon	Manzullo		Burr	
Cantor	Goss	Marshall		Burr	
Capito	Granger	Matheson		Burr	
Cardoza	Graves	McCotter		Burr	
Carson (OK)	Green (TX)	McCrery		Burr	
Carter	Green (WI)	McHugh		Burr	
Castle	Greenwood	McInnis		Burr	
Chabot	Gutknecht	McIntyre		Burr	
Chocola	Hall	McKeon		Burr	
Coble	Harman	Mica		Burr	
Collins	Harris	Michaud		Burr	
Combest	Hart	Miller (FL)		Burr	
Cooper	Hastings (WA)	Miller (MI)		Burr	
Costello	Hayes	Miller, Gary		Burr	
Cox	Hayworth	Mollohan		Burr	
Cramer	Hefley	Moran (KS)		Burr	
Crane	Hensarling	Murphy		Burr	
Crenshaw	Herger	Murtha		Burr	
Cubin	Hill	Musgrave		Burr	

Conyers	Kildee	Paul
Crowley	Kilpatrick	Payne
Cummings	Kleccka	Pelosi
Davis (CA)	Kucinich	Price (NC)
Davis (FL)	Langevin	Rothman
DeGette	Lantos	Roybal-Allard
Delahunt	Larson (CT)	Ruppersberger
DeLauro	Lee	Rush
Deutsch	Levin	Sabo
Dicks	Lewis (GA)	Sanchez, Linda
Doggett	Lofgren	T.
Doyle	Lowe	Sanchez, Loretta
Emanuel	Lynch	Schakowsky
Engel	Majette	Schiff
Eshoo	Maloney	Scott (VA)
Evans	Markey	Serrano
Farr	Matsui	Shays
Fattah	McCarthy (NY)	Sherman
Fillner	McCollum	Slaughter
Frank (MA)	McDermott	Snyder
Frost	McGovern	Solis
Gonzalez	McNulty	Stark
Grijalva	Meehan	Tauscher
Gutierrez	Meek (FL)	Thompson (MS)
Harman	Meeks (NY)	Tierney
Hastings (FL)	Menendez	Towns
Hinchey	Millender-	Udall (CO)
Hoeffel	McDonald	Udall (NM)
Holt	Miller (NC)	Van Hollen
Honda	Miller, George	Velazquez
Hookey (OR)	Moore	Visclosky
Hoyer	Moran (VA)	Waters
Inslee	Nadler	Watson
Israel	Napolitano	Watt
Jackson (IL)	Neal (MA)	Waxman
Jackson-Lee	Oberstar	Weiner
(TX)	Olver	Wexler
Jefferson	Owens	Woolsey
Johnson, E. B.	Pallone	Wu
Jones (OH)	Pascrell	Wynn
Kennedy (RI)	Pastor	

NOT VOTING—9

Boyd	Houghton	McCarthy (MO)
Davis (IL)	Hyde	Rangel
Gephardt	Lucas (OK)	Ryun (KS)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes left in this vote.

□ 1748

Ms. HARMAN changed her vote from “yea” to “nay.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Ms. CORRINE BROWN of Florida. Mr. Speaker, on rollcall vote No. 124 I voted “yea,” and I am a definite “nay.”

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GILCHREST). Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed. Votes will be taken in the following order:

House Resolution 170, by the yeas and nays; and

House Resolution 149, by the yeas and nays.

RECOGNIZING THE 40TH ANNIVERSARY OF THE SINKING OF THE U.S.S. THRESHER

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the resolution, House Resolution 170.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Hampshire (Mr. BRADLEY) that the House suspend the rules and agree to the resolution, House Resolution 170, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 423, nays 0, not voting 11, as follows:

[Roll No. 125]

YEAS—423

Abercrombie	Crenshaw	Hastings (WA)
Ackerman	Crowley	Hayes
Aderholt	Cubin	Hayworth
Akin	Culberson	Hefley
Alexander	Cummings	Hensarling
Allen	Cunningham	Herger
Andrews	Davis (AL)	Hill
Baca	Davis (CA)	Hinchey
Bachus	Davis (FL)	Hinojosa
Baird	Davis (IL)	Hobson
Baker	Davis (TN)	Hoeffel
Baldwin	Davis, Jo Ann	Hoekstra
Ballance	Davis, Tom	Holden
Ballenger	Deal (GA)	Holt
Barrett (SC)	DeFazio	Honda
Bartlett (MD)	DeGette	Hookey (OR)
Barton (TX)	Delahunt	Hostettler
Bass	DeLauro	Hoyer
Beauprez	DeLay	Hulshof
Becerra	DeMint	Hunter
Bell	Deutsch	Inslee
Bereuter	Diaz-Balart, L.	Isakson
Berkley	Diaz-Balart, M.	Israel
Berman	Dicks	Issa
Berry	Dingell	Istook
Biggert	Doggett	Jackson (IL)
Bilirakis	Dooley (CA)	Jackson-Lee
Bishop (GA)	Doolittle	(TX)
Bishop (NY)	Doyle	Janklow
Bishop (UT)	Dreier	Jefferson
Blackburn	Duncan	Jenkins
Blumenauer	Dunn	John
Blunt	Edwards	Johnson (CT)
Boehlert	Ehlers	Johnson (IL)
Boehner	Emanuel	Johnson, E. B.
Bonilla	Emerson	Johnson, Sam
Bonner	Jones	Jones (NC)
Bono	English	Jones (OH)
Boozman	Eshoo	Kanjorski
Boswell	Etheridge	Kaptur
Boucher	Evans	Keller
Bradley (NH)	Everett	Kelly
Brady (PA)	Farr	Kennedy (MN)
Brady (TX)	Fattah	Kennedy (RI)
Brown (OH)	Feeney	Kildee
Brown (SC)	Ferguson	Kilpatrick
Brown, Corrine	Filner	Kind
Brown-Waite,	Flake	King (IA)
Ginny	Fletcher	King (NY)
Burgess	Foley	Kingston
Burns	Forbes	Kirk
Burr	Ford	Kleccka
Burton (IN)	Fossella	Kline
Buyer	Frank (MA)	Knollenberg
Calvert	Franks (AZ)	Kolbe
Camp	Frelinghuysen	Kucinich
Cannon	Frost	LaHood
Cantor	Gallely	Lampson
Capito	Garrett (NJ)	Langevin
Capps	Gerlach	Lantos
Capuano	Gibbons	Larsen (WA)
Cardin	Gilchrest	Larson (CT)
Cardoza	Gillmor	Latham
Carson (IN)	Gingrey	LaTourette
Carson (OK)	Gonzalez	Leach
Carter	Goode	Lee
Case	Goodlatte	Levin
Castle	Gordon	Lewis (CA)
Chabot	Goss	Lewis (GA)
Chocola	Granger	Lewis (KY)
Clay	Graves	Linder
Clyburn	Green (TX)	LoBiondo
Coble	Green (WI)	Lofgren
Cole	Greenwood	Lowe
Collins	Grijalva	Lucas (KY)
Combest	Gutierrez	Lynch
Conyers	Gutknecht	Majette
Cooper	Hall	Maloney
Costello	Harman	Manzullo
Cox	Harris	Markey
Cramer	Hart	Marshall
Crane	Hastings (FL)	Matheson

McCarthy (NY)	Pitts	Smith (TX)
McCollum	Platts	Smith (WA)
McCotter	Pombo	Snyder
McCrery	Pomeroy	Solis
McDermott	Porter	Souder
McGovern	Portman	Spratt
McHugh	Price (NC)	Stark
McInnis	Pryce (OH)	Stearns
McIntyre	Putnam	Stenholm
McKeon	Quinn	Strickland
McNulty	Radanovich	Stupak
Meehan	Rahall	Sullivan
Meek (FL)	Ramstad	Sweeney
Meeks (NY)	Rangel	Tancred
Menendez	Regula	Tanner
Mica	Rehberg	Tauscher
Michaud	Renzi	Tauzin
Millender-	Reyes	Taylor (MS)
McDonald	Reynolds	Terry
Miller (FL)	Rodriguez	Thomas
Miller (MI)	Rogers (AL)	Thompson (CA)
Miller (NC)	Rogers (KY)	Thompson (MS)
Miller, Gary	Rogers (MI)	Thornberry
Miller, George	Rohrabacher	Tiahrt
Mollohan	Ros-Lehtinen	Tiberi
Moore	Ross	Tierney
Moran (KS)	Rothman	Toomey
Moran (VA)	Roybal-Allard	Towns
Murphy	Royce	Turner (OH)
Murtha	Ruppersberger	Turner (TX)
Musgrave	Rush	Udall (CO)
Myrick	Ryan (OH)	Udall (NM)
Nadler	Ryan (WI)	Upton
Napolitano	Sabo	Van Hollen
Neal (MA)	Sanchez, Linda	Velazquez
Nethercutt	T.	Visclosky
Ney	Sanchez, Loretta	Vitter
Northup	Sanders	Walden (OR)
Norwood	Sandlin	Walsh
Nunes	Saxton	Wamp
Nussle	Schakowsky	Waters
Oberstar	Schiff	Watson
Obey	Schrock	Watt
Olver	Scott (GA)	Waxman
Ortiz	Scott (VA)	Weiner
Osborne	Sensenbrenner	Weldon (FL)
Ose	Serrano	Weldon (PA)
Otter	Shadeegg	Weller
Owens	Shaw	Wexler
Oxley	Shays	Whitfield
Pallone	Sherman	Wicker
Pascrell	Sherwood	Wilson (NM)
Pastor	Shimkus	Wilson (SC)
Paul	Shuster	Wolf
Payne	Simmons	Woolsey
Pearce	Simpson	Wu
Pelosi	Skelton	Wynn
Pence	Slaughter	Young (AK)
Peterson (MN)	Smith (MI)	Young (FL)
Peterson (PA)	Smith (NJ)	
Pickering		

NOT VOTING—11

Boyd	Lipinski	Petri
Gephardt	Lucas (OK)	Ryun (KS)
Houghton	Matsui	Taylor (NC)
Hyde	McCarthy (MO)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes left in this vote.

□ 1755

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXPRESSING THE CONDOLENCES OF THE HOUSE OF REPRESENTATIVES IN RESPONSE TO THE ASSASSINATION OF PRIME MINISTER ZORAN DJINDJIC OF SERBIA

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the resolution, House Resolution 149.